Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN:	504-10460-2112-050	Date: 06-20-04	Time: 2041
Location:	[redacted] PLATT AVENUE, LYNWOOD		
City or Station:	CENTURY STATION		
Bureau/Station/Facility:	Field Operation Region II	Admin. Investigation: YES ☒ NO ☐	

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Work Ph.	Home Ph.

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[redacted]	[redacted]	[redacted]	[redacted]	Sgt.	YES ☐ NO ☒	YES ☐ NO ☒
					YES ☐ NO ☐	YES ☐ NO ☐

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[redacted]	MEEDER	BRIAN	A.

Watch Commander

Emp. #	Last Name	First Name	Middle Name
[redacted]	WILLIAMS	TERRI	L.

Watch Commander's Signature: ______________________ Emp #: __________

Copy Provided to Employee by: ______________________ Emp #: __________

Supervisor Completing Form: Sgt. ELVER MORETON (Print) Emp #: [redacted]

Unit Commanders Signature: ______________________ Emp #: __________ Date Signed: __________

PSTD Use Only

FO# 212-1895

Original: Unit Commander
Copy: P.S.T.D.Headquarters, Employee

See Reverse

Supervisor's Report on Use of Force

URN: 504-10460-2112-050

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE APPLIED ***(Only One Code Per Block)***

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Type of Injury (Code)	Body Part (Code)
S#1	E#1 THRU E#7	OO	AB	FA
E#1	S#1	PK	NN	BK
E#1	S#1	TR	PW	BK
E#2	S#1	CT	NN	--------------
E#3	S#1	CR	NN	--------------
E#4	S#1	CT	NN	--------------
E#5	S#1	CT	FR	AR
E#6	S#1	FL	SD	LE
E#7	S#1	FL	SD	AR
E#7	SD	TP	NN	--------------

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN: 504-10460-2112-050

Involved Employee

E1

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	CENTURY STATION	212E2

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	508	175

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case #	Force
☐			Directed Force ☐ Significant Force ☒

E2

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[redacted] Male [redacted] Female	[redacted]	[redacted]	[redacted]

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☒

E3

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
[redacted] Male [redacted] Female	[redacted]	[redacted]	[redacted]

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	[redacted]	[redacted]

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☒

E4

Employee #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	[redacted]

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	CENTURY STATION	212E1

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	604	210

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☒

E5

Employee #	Last Name	First Name	Middle Name
[redacted]	DAILY	RONALD	J.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	CENTURY STATION	212D

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	511	220

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☒

E6

Employee #	Last Name	First Name	Middle Name
[redacted]	CONLEY	RICHARD	L.

Sex	Race	Unit of Assignment	Work Assignment (Unit #, Module, etc.)
☒ Male ☐ Female	W	CENTURY STATION	212F

Shift		Age	Height	Weight
☐ EM ☐ Day ☒ PM	☒ Regular Shift ☐ OT Shift ☐ Off Duty	[redacted]	509	210

Medical Exam/Treatment	If Admitted, Name of Hospital	Coroner Case#	Force
☐			Directed Force ☐ Significant Force ☒

See Other Side

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE INFORMATION

URN:

Involved Employee

E7

Employee # [redacted] | Last Name [redacted] | First Name [redacted] | Middle Name

Sex: ☒ Male ☐ Female | Race: W | Unit of Assignment: CENTURY STATION | Work Assignment (Unit #, Module, etc.): 212F

Shift: ☐ EM ☐ Day ☒ PM | ☒ Regular Shift ☐ OT Shift ☐ Off Duty | Age: [redacted] | Height: 510 | Weight: 175

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: ____ | Coroner Case # | Directed Force ☐ Significant Force ☒

E_

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: ____ | Coroner Case# | Directed Force ☐ Significant Force ☐

E_

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: ____ | Coroner Case# | Directed Force ☐ Significant Force ☐

E_

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: ____ | Coroner Case# | Directed Force ☐ Significant Force ☐

E_

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: ____ | Coroner Case# | Directed Force ☐ Significant Force ☐

E_

Employee # | Last Name | First Name | Middle Name

Sex: ☐ Male ☐ Female | Race: | Unit of Assignment: | Work Assignment (Unit #, Module, etc.):

Shift: ☐ EM ☐ Day ☐ PM | ☐ Regular Shift ☐ OT Shift ☐ Off Duty | Age: | Height: | Weight:

Medical Exam/Treatment ☐ | If Admitted, Name of Hospital: ____ | Coroner Case# | Directed Force ☐ Significant Force ☐

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Supervisor's Report on Use of Force
SUSPECT INFORMATION

URN: 504-10460-2112-050

Suspect Information

S1

Last Name: HERNANDEZ		First Name: SAUL		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☒ Male ☐ Female	Race: H	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]	
Work Phone: ----------------	Home Phone: [redacted]	Age: 26	Height: 505	D.O.B. 08-12-77	Weight: 140	Armed? ☐
Booking #: 8170959	Primary Charge: 245(C) PC		Secondary Charge: 273.5 PC		Criminal History [redacted]	
Hospital Admission? ☒	Rec'd Treatment At: SAINT FRANCIS HOSPITAL		Coroner Case#:		Mental History ☐	
Under Influence: ☒ YES ☐ NO Substance: COCAINE/METH			Photos of Suspect's Injuries ☒ YES ☐ NO			

Suspect Interview

Date: 06-21-04	Time: 1000	Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name:		First Name:		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

Suspect Information

S_

Last Name:		First Name:		Middle Name:		
AKA Last Name:		First Name:		Middle Name:		
Sex: ☐ Male ☐ Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? ☐
Booking #:	Primary Charge:		Secondary Charge:		Criminal History ☐	
Hospital Admission? ☐	Rec'd Treatment At:		Coroner Case#:		Mental History ☐	
Under Influence: ☐ YES ☐ NO Substance:			Photos of Suspect's Injuries ☐ YES ☐ NO			

Suspect Interview

Date:	Time:	Audiotape: ☐	Videotape: ☐

See Other Side

INVESTIGATIVE SUMMARY

INTERNAL AFFAIRS BUREAU
INVESTIGATIVE NARRATIVE
FO 2121895
IV 2130397

Subject: [redacted], **Deputy #**[redacted]
CENTURY STATION
Field Operation Region II

[redacted], **Sergeant #**[redacted]
CENTURY STATION
Field Operation Region II

Date: **June 20, 2004**

Location: [redacted] **Platt Avenue, Lynwood, Ca. 90262**

Investigator: **Sergeant Elier Morejon**

Case Synopsis:

This case pertains to allegations that Deputy [redacted] failed to accurately document his use of force in a report written on June 20, 2004, under file #504-10460-2112-050, in violation of Policy Sections *3-01/050.10 Performance to Standards, and 3-01/030.10 Obedience to Laws, Regulations and Orders, Re: 5-09/430.00 Use of Force Reporting.* It is also alleged that Sergeant [redacted] failed to properly review Deputy [redacted]'s report and approved it without any documentation or mention regarding Deputy [redacted]'s use of force, in violation of Policy Section *3-01/050.10 Performance to Standards*.

Background:

On June 20, 2004, Deputy [redacted] received a call for service at [redacted] Platt Avenue, Lynwood, regarding a landlord/tenant dispute. Upon arrival at the location and a subsequent investigation, it was determined that a spousal assault had occurred. Deputy [redacted] along with several responding deputies attempted to make contact with the suspect, whom they eventually did make contact with inside his residence. During the contact with the suspect, a fight ensued. All deputies at the scene used force, including Deputy [redacted] who kicked the suspect in the upper torso and tased him twice with an "M-26 Taser." During the fight, the suspect was placed in a Carotid Restraint, Tasted twice, hit with a flashlight and Tarped. All force used by involved deputies was reported to the Field Sergeant, 212S, Sergeant [redacted].

IAB NOTE: On June 20, 2004, when investigators responded to Century Station regarding the use of force, broken arm, it was very unclear what type of force had been used against the suspect. Several of the deputies were of the impression, after speaking with their attorney, that they did not have to write supplemental reports indicating their use of force. Only, after several hours of explaining Departmental Policy to the deputies, calling the station Captain, and being ordered by the Watch Commander to do so, did they agree to write their reports. Refer to Exhibit A -Reports submitted by involved deputies

The suspect sustained a fractured left Humerous. He also sustained minor abrasions to his forehead, chest, left shoulder and left leg from his struggle with the deputies. Two wounds from the taser darts were visible on his chest, and he had a third on his back in the area of his right scapula. **Refer to Exhibit B-Photographs of injuries to Suspect Hernandez**

Deputies [redacted] and Conley sustained minor injuries of a scratch to the inner left arm and a small abrasion on the forehead respectively. Deputy Conley's injury was caused when one cuff was placed on the suspect's wrist, and he broke free of the deputies's grasp and struck Conley in the head with the free cuff. **Refer to Exhibit C-Photographs of injuries to Deputies Conley and [redacted]**

SUBJECT STATEMENTS

Deputy [redacted] was interviewed on September 15, 2004, at Internal Affairs Bureau by Sergeants Elier Morejon and William Hines. The interview was recorded and transcribed. The transcription of Deputy [redacted]'s interview is included in the Subject Statement Section of this case.

Sergeant [redacted] was interviewed on November 17, 2004, at Internal Affairs Bureau by Sergeants Elier Morejon and William Hines. The interview was recorded and transcribed. The transcription of Sergeant [redacted]s interview is included in the Subject Statement Section of this case.

INVOLVED DEPUTIES STATEMENTS

There were a total of six deputies who responded to [redacted] Platt Avenue, to assist Deputy [redacted] with the call for service. All six deputies were independently interviewed regarding their role and their use of force. All deputies involved said they responded to the location regarding a landlord/tenant call. Once they arrived at the location it was learned that a female, Suspect Hernandez [redacted], had been assaulted. Suspect Hernandez was possibly under the influence of narcotics and had threatened to kill his [redacted] All deputies said that a plan was formulated to approach the house and make contact with Suspect Hernandez. Deputies were sent to the front and rear of the location. Contact with Suspect Hernandez was made at the front door and entry was made. Deputy [redacted] a [redacted], remained in his vehicle writing reports during the initial contact with the victim and suspect.

The following is a summary of each deputies version of their use of force during the incident.

Deputy [redacted] was working as 212E1 on the night of the incident. Deputy [redacted] said he responded to the rear house where Deputy [redacted] knocked on the front door. After several minutes Suspect Hernandez answered the door. Deputies [redacted] and [redacted] followed Suspect Hernandez into the house as he turned and walked away from them. Deputy [redacted] followed Deputies [redacted] and [redacted]. Suspect Hernandez walked into a small room in the middle of the house and laid on the floor face down with his hands above his head.

Deputy [redacted] said he knelt down next to Suspect Hernandez and grabbed his hands in an attempt to handcuff him. Deputy [redacted] placed one of the cuffs on Suspect Hernandez' right wrist. Deputy [redacted] said as he attempted to place the second cuff on Suspect Hernandez left wrist, Suspect Hernandez pulled away from his grasp. Suspect Hernandez suddenly jerked his body side to side in a violent fashion causing Deputy [redacted] to be thrown completely off of Suspect Hernandez.

Suspect Hernandez started swinging his right arm wildly with the handcuff still attached. Deputy [redacted] saw Deputy [redacted] along with several other deputies attempt to grab Suspect Hernandez and hold him down on the floor. Suspect Hernandez continued resisting and swinging his arm in an attempt to strike the deputies with the handcuff. Deputy [redacted] said he saw Deputy [redacted] deploy the M-26 taser, twice, both times striking Suspect Hernandez with little to no effect. Deputy [redacted] again grabbed Suspect Hernandez, who continued to swing the handcuff wildly, in an attempt to hold him down. In doing so, Deputy [redacted] was struck by the loose handcuff under his left arm, causing a scrape. After several minutes of struggling with Suspect Hernandez, Deputy [redacted] along with several other deputies were finally able to hold Suspect Hernandez down on the floor. Suspect Hernandez had his left arm tucked under his body and would not allow deputies to remove it in order to handcuff him. Deputy [redacted] said he was able to again regain control of Suspect Hernandez' right arm while Deputy Daily pulled Suspect Hernandez' left arm out from under him. Deputy [redacted] was then able to handcuff both of Suspect Hernandez' wrists.

Due to Suspect Hernandez violent behavior and thrashing of his body back and forth, Deputy [redacted] with the assistance of Deputy [redacted] placed a TARP on Suspect Hernandez' legs. Suspect Hernandez stopped resisting and was taken into custody without further incident.

Deputy [redacted] said that he reported all the force he used to Field Sergeant [redacted]

Deputy [redacted] was working as 212F on the night of the incident with his partner Deputy Conley. Deputy [redacted] said he was sitting in his vehicle when he heard deputies requesting assistance over the radio regarding a fight. Deputy [redacted] immediately ran to the house located in the back. Deputy [redacted] entered the house and saw several deputies and Suspect Hernandez on the floor in the middle of the living room. Deputy [redacted] said he saw Suspect Hernandez laying on his stomach and waiving his right arm which had a handcuff attached to it. Suspect Hernandez was thrashing his body side to side violently in an attempt to break free from the deputies.

Deputy [redacted] saw that Suspect Hernandez had taser darts attached to his back, but did not see who had tased him. Deputies were trying to hold Suspect Hernandez down and were also attempting to gain control of his right arm. Suspect Hernandez was not following any of the orders given to him to stop resisting. Suspect Hernandez was also trying to kick several deputies who were near his feet. Deputy [redacted] said that he saw Suspect Hernandez tuck his left arm under his body and would not bring it out and let the deputies handcuff it.

Deputy [redacted] said that in effort to stop Suspect Hernandez' assaultive behavior towards deputy personnel he took his flashlight and struck Suspect Hernandez approximately two to three times on his left shoulder area. Deputy [redacted] said that Suspect Hernandez continued to violently kick at them and also continued trying to hit them with the loose handcuff. Deputy [redacted] said that after a few minutes, several of the deputies using their body weight were able to hold Suspect Hernandez down and handcuff him. Deputy [redacted] said that after Suspect Hernandez was handcuffed he was still violently thrashing his body from side to side. Deputy [redacted] placed a hobble restraint on Suspect Hernandez' legs, which ultimately led to a TARP thus enabling deputies to control him.

Deputy [redacted] said that he reported all the force he used to Field Sergeant [redacted].

Deputy [redacted] was working Unit [redacted] on the night of the incident. Deputy [redacted] said that Deputies [redacted], Daily, [redacted] and he all made contact with Suspect Hernandez inside the residence. Deputy [redacted] noticed that Suspect Hernandez was not wearing his shirt and he was sweating profusely despite the cool evening. Deputy [redacted] said that Suspect Hernandez made eye contact with him and pointed his right index finger at him as if it was a gun. Suspect Hernandez began to simulate his right index finger as a trigger while saying, "Bang, Bang!" Suspect Hernandez turned and ran into the living room where he temporarily lost sight of him.

Deputy [redacted] said as he regained sight of Suspect Hernandez, he saw him laying on the living room floor on his stomach and his hands out to his sides. Deputy [redacted] said he also noticed a black handgun laying next to Suspect Hernandez hands. Deputy [redacted] saw Deputy [redacted] approach Suspect Hernandez and handcuff his right arm. As Deputy [redacted] handcuffed Suspect Hernandez he (Suspect Hernandez) became very angry and started to violently thrash his body from side to side knocking Deputy [redacted] away from him. Suspect Hernandez violently swung his right arm with the loose handcuff in an effort to strike deputy personnel.

Deputy [redacted] said he stepped towards Suspect Hernandez in order to control him when Suspect Hernandez lunged towards him and wrapped his arms around his mid section causing both of them to fall to the ground. A struggle ensued and Deputy [redacted] was able to maneuver his body around to the rear of Suspect Hernandez's body. Deputy [redacted] said in an effort to stop Suspect Hernandez violent behavior and to minimize possible injuries to deputy personnel he placed a Carotid Restraint on Suspect Hernandez. The Carotid Restraint had no effect on Suspect Hernandez as he continued to punch and kick at the deputies.

Deputy [redacted] said that Deputy [redacted] utilized the M-26 Taser and tased Suspect Hernandez twice with little to no effect on his violent behavior. Deputy [redacted] said he again re-engaged with the suspect and the fight continued on the floor. While on the floor Deputy [redacted] noticed that Suspect Hernandez, with his right hand, started to manipulate his holster causing his gun to partially come out. Deputy [redacted] said he laid on his gun and was able to stop Suspect Hernandez from taking it out of the holster. Deputy [redacted] said he held on to Suspect Hernandez until the remaining deputies were able to handcuff him.

Deputy [redacted] said that he reported all the force he used to Field Sergeant [redacted].

Detective [redacted] was working unit [redacted] on the night of the incident. Detective [redacted] said he responded to the location to speak to the victim because she was a Spanish speaker. He said that several deputies along with him responded to the rear house and made contact with Suspect Hernandez. He said Suspect Hernandez walked into the living room and laid down on the floor. Detective [redacted] said he saw deputies attempting to handcuff Suspect Hernandez. Suspect Hernandez quickly became angry and began to flail his arms and legs violently. Detective [redacted] said Suspect Hernandez began to scream words that he could not understand.

Detective [redacted] said that he immediately got on the radio and on both L-Tac and over Dispatch 4, he advised that deputies were involved in a fight. Detective [redacted] said that when he finished with his radio transmission he noticed that Suspect Hernandez had been tased but had no effect on his violent behavior. Detective [redacted] said as Suspect Hernandez arms flailed around he saw that a handcuff was attached to one of his wrists. Detective [redacted] was concerned that the handcuff would strike one of the deputies and injure him. Detective [redacted] engaged Suspect Hernandez by trying to use his body weight to hold him down. Suspect Hernandez continued to struggle and kick at the deputies. Detective [redacted] believes that Suspect Hernandez was possibly tased a second time, but had little to no effect again. Detective [redacted] said the deputies were finally able to handcuff Suspect Hernandez' hands without further incident. Detective [redacted] is unsure who tased Suspect Hernandez.

Detective [redacted] said that he reported all the force he used to Field Sergeant [redacted].

Deputy Ronald Daily was working Unit 212D on the night of the incident. Deputy Daily said he responded to the rear of the location and maintained perimeter security as other deputies entered through the front door and made contact with Suspect Hernandez. Deputy Daily said that he heard over the radio that deputies were involved in a fight inside the location. Deputy Daily ran around to the front and entered the location. He saw Suspect Hernandez fighting with several deputies. Suspect Hernandez had a handcuff on one of his wrists which he was swinging in an attempt to strike deputy personnel. Deputy Daily heard the sound of the M-26 taser being activated, but it did not appear to have any effect on Suspect Hernandez. Deputy Daily said that due to the small area in which the deputies and Suspect Hernandez were in, he stayed inside the kitchen area and requested additional units regarding deputies involved in a fight. Deputy Daily said he heard the deputies yelling that they were unable to secure Suspect Hernandez' left arm which was under his

body. Deputy Daily walked to Suspect Hernandez and saw that his left arm was under his body and was actively resisting any attempts by deputies to secure the arm behind the back. Deputy Daily positioned himself on Suspect Hernandez' left side and dropped down to both of his knees while reaching under Suspect Hernandez' rib/cage area. Deputy Daily forcibly pulled Suspect Hernandez' left arm from underneath his body and placed it in his lower back area where it was handcuffed without further incident.

Deputy Daily said that he reported all the force he used to Field Sergeant [redacted].

Deputy Richard Conley was working Unit 212F, with his partner Deputy [redacted], on the night of the incident. Deputy Conley said he followed several deputies into the residence. As he walked through the kitchen he saw Suspect Hernandez and several other deputies in the living room. He said Suspect Hernandez was laying on the living room floor on his stomach. Deputy Conley said he immediately saw a portion of a black handgun laying on the floor near Suspect Hernandez' head. Deputy Conley saw Deputies [redacted] and [redacted] attempting to place handcuffs on Suspect Hernandez. Deputy Conley saw Deputy [redacted] place one handcuff on Suspect Hernandez and as he did, Suspect Hernandez, became very angry and violent. He twisted his body back and forth until Deputies [redacted] and [redacted] lost control of him. Deputies immediately tried to regain control of the suspects hands but were unsuccessful. Deputy Conley said he also engaged Suspect Hernandez in an effort to handcuff him. Shortly after engaging Suspect Hernandez, Deputy Conley heard Deputy [redacted] announce that he was going to deploy the taser on Suspect Hernandez. Deputy Conley backed off and watched as Deputy [redacted] deployed the M-26 taser striking Suspect Hernandez in the upper torso. This had little to no effect on Suspect Hernandez. Deputy [redacted] deployed a second taser at Suspect Hernandez striking him again in the upper torso, again no effect.

Suspect Hernandez was able to get up off the floor and lunge at Deputy [redacted]. He wrapped his arms around Deputy [redacted] and knocked him to the floor. Deputy Conley said he could see Suspect Hernandez' hands moving around Deputy [redacted]'s torso as if he was looking for something. Deputy Conley attempted to grab onto Suspect Hernandez arm but was unable to do so. It appeared to him that Suspect Hernandez had his right hand over Deputy [redacted]'s handgun. Deputy Conley ordered Suspect Hernandez several times to stop moving and to drop his hands to the floor but he did not comply.

Deputy Conley said that based on the nature of the call, the suspects actions and the fact the taser had no effect he believed the suspect was under the influence of Phencyclidine and was attempting to remove Deputy [redacted]'s handgun in order to use it against deputy personnel. Deputy Conley using his flashlight struck Suspect Hernandez' left arm three times in order to stop his aggressive behavior. Deputy Conley said that the flashlight strikes did not appear to have any effect on the suspect, it seemed to make him even angrier.

Deputy Conley said Suspect Hernandez continued to violently swing the loose handcuff and kick at the deputies. Deputy Conley felt several kicks from Suspect Hernandez. During the continued struggle, Deputy Conley was hit on the forehead with the loose handcuff causing an abrasion.

Deputy Conley believed at this point that a deputy was going to be seriously injured and or possibly killed if Suspect Hernandez was not immediately stopped. Deputy Conley again struck Suspect Hernandez three times on his legs with his flashlight in an attempt to stop him from injuring deputy personnel.

Deputy Conley said he placed his entire body weight on Suspect Hernandez' legs in an effort to subdue him. He laid on top of Suspect Hernandez until deputies were able to handcuff him without further incident.

Deputy Conley said that he reported all the force he used to Field Sergeant [redacted]

SUSPECT STATEMENT

Suspect Hernandez was interviewed at the hospital the following morning by Century Station Detective [redacted] #[redacted]. Suspect Hernandez could not provide any additional information because he said he did not remember anything that happened. Suspect Hernandez admitted ingesting an unknown amount of Cocaine prior to the incident.

> **IAB NOTE: While Suspect Hernandez was at Saint Francis Hospital being treated for his injuries he became very violent with hospital personnel. He was restrained by hospital personnel and sedated. Investigators did not interview Suspect Hernandez do to his medical condition.**

ADDITIONAL INVESTIGATION

Detective [redacted] responded to Saint Francis Hospital and retrieved a toxicology report. The report revealed that Suspect Hernandez tested positive for Cocaine and Methamphetamine. **Refer to Exhibit D-Toxicology report.**

Investigators spoke to Emergency Room Doctor Patricia Wong who said Suspect Hernandez' injuries were consistent with the force used by the deputies.

Suspect Hernandez' [redacted], did not see what occurred between her [redacted] and the deoputies because she remained outside during the entire incident.